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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

<b>LEAGUE OF CONSERVATION VOTERS, et al.,</b>	)	
	)	
Plaintiffs,	)	Case No. 3:17-cv-00101- SLG
	)	
v.	)	
	)	
<b>DONALD J. TRUMP, et al.,</b>	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF ERRATA TO  
FEDERAL DEFENDANTS' REPLY IN SUPPORT OF  
THEIR MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF CIVIL  
PROCEDURE 12(b)**

The Federal Defendants filed a reply in support of their motion to dismiss on October 2, 2017. On page 8-9 of that brief Defendants stated:

In light of this jurisdictional flaw, the Court need not address the issue of prudential ripeness. Nonetheless, prudential ripeness is an independent and adequate basis for dismissing Plaintiffs' claims. Plaintiffs can demonstrate no harm from waiting until the approval of a new Five-Year Leasing Program. Only after such approval may companies apply for permits for exploration activities prior to a lease sale, and only after such applications may companies that

ultimately purchase leases proceed with exploration activities, submit an exploration plan or application for a permit for exploratory drilling, and eventually submit an exploration plan and a development and production plan.

A factual correction is required. In addition to the exploration activities that are permitted after a lease has been issued, geophysical surveys can be conducted before a lease sale or a Five Year Program. These exploration activities, however, cannot be conducted unless the entities have applied for, and received, a permit pursuant to 33 U.S.C. § 1340(a) and 30 C.F.R. part 551. This clarification, therefore, does not affect the legal conclusions regarding ripeness and standing – whether it is the Five-Year Leasing Program or a permit for seismic testing, further agency action is necessary before Plaintiffs' claims would ripen or they could allege the necessary imminent and particularized harm.

Dated: October 4, 2017

Respectfully submitted,

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/s/ Sarah D. Himmelhoch

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**Certificate of Service**

I hereby certify that on October 4, 2017, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will provide service to all attorneys of record.

/s/

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